

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER  
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA**

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**WRIT PETITION NO : 5030 of 1998**

Between:

1. Poddar Projects Ltd., rep.by its Authorised Officer,  
Sri V.C.Jain, s/o late M.V.Jain, aged 51 years.  
Nacharam Industrial Area, Hyderabad 500 076.
2. Dasika Industrial Chemicals (Pvt) Limited, rep.by it's  
Manager(Purchases), Sri V.Venu Gopal Rao, s/o Venkatratnam,  
Aged 24 years, D.No. 24-14-16/A, Srirampuram,  
Bhimavaram 534 202.

**..... PETITIONERS**

AND

Singareni Collieries Company Ltd., rep.by it's Chairman ,  
Post Box No.18, Khairatabad,  
Mehtar Manzil, Red Hills, Hyderabad.

**.....RESPONDENT**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, especially in the nature of Writ of Mandamus, declaring the action of the respondent company in treating the petitioners as unlinked customers and collecting 20% additional price on notified prices of B, C & D grades of coal as per the price notification No.3/96-97 dt.14.3.1997 issued by it is irrational, arbitrary, discriminatory and violative of Art.14

of the Constitution of India and restrain the respondent-company from collecting 20% additional prices from the petitioners and consequently direct refund the excess price already collected from the petitioners.

**Counsel for the Petitioners 1 and 2: MR.K.HARINATH**

**Counsel for the Respondent: MR.K.SRINIVASA MURTHY.**

**The Court made the following:**

O R D E R;

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There was no representation on behalf of the petitioners on 09-12-2004, consequently the matter has been posted today under the caption “for dismissal”.

Today when the matter is called, neither the petitioners nor his counsel is present and there is no representation on his behalf. Hence, the writ petition is dismissed for default. No costs.

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10-12-2004.

Lrkm.

To

1. The Chairman, Singareni Collieries Company Ltd.,  
Post Box No.18, Khairatabad,  
Mehar Manzil, Red Hills, Hyderabad.

2. 2CD copies.